# UNITED STATES PATENT AND TRADEMARK OFFICE

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 10/024,142 | 12/21/2001 | Kelly C. Morgan | BS01-165 | 5474 |

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| 45695 | 7590 | 07/15/2005 | |

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|---|
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| ART UNIT | PAPER NUMBER |
|---|---|
| 2176 | |

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED <u>28 June 2005</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

     Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____ . A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☐ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

     NOTE: _____ . (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____ .

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____ .

   Claim(s) objected to: _____ .

   Claim(s) rejected: <u>1-29 and 32-36</u>.

   Claim(s) withdrawn from consideration: _____ .

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____

13. ☐ Other: _____ .

WILLIAM BASHORE
PRIMARY EXAMINER
7/12/2005

Continuation of 11. does NOT place the application in condition for allowance because:

Applicant's arguments filed 06/28/2005 have been fully considered but they are not persuasive. In response to applicant's arguments on pages 2-5, that Lipkin in view of Bradley did not teach or suggested the features of lacks the ability to save the information in the form of extensible markup language (XML). The Office respectfully disagrees; the reason for rejection is set forth in the previous rejection and re-enforcing below:

Lipkin at page 15 paragraphs [0325]-[0326], provides the BDK (Business Development Kit) and also provides XML-based interfaces for saving and retrieving business objects; these interfaces provide the communication layer with the other Platform servers and components as well, further more Lipkin at page 29 paragraphs [0531]-[0532], provides XML-bases interface to allows content, logic and style to be separated out into different XML files, and uses XSL transformation capabilities to merge them resulting in the automatic creation of html through the processing of statically or dynamically generated XML files. They do not require specific knowledge on how the XML content is further processed-they only need to know about the particular chosen "DTD" or tagset for their stage in the process and the XSL rendering-The created document is then rendered by applying an XSL stylesheet to it and formatting it to the specified resource type such as, HTML, PDF, XML, WML, XHTML, etc. Even though Lipkin discloses the method of providing XML-based interfaces for saving and retrieving business objects and a list of all the choices resource type such as, HTML, PDF, XML, WML, XHTML, etc. It is appreciated by a person of ordinary skill in the art that often provides the list of choices of capable and omitting the incapable one, however the office rejection replies upon the teaching of Bradley at page 4 paragraphs [0051]-[0057], which is fairly concluded that Bradley does not construct as xml format, rather the end-users can saved forms and/or document locally in the format such as PDF.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Lipkin, provides XML-based interfaces for saving and retrieving business objects; these interfaces provide the communication layer with the other Platform servers and components such as "DTD" or tagset for their stage in the process and the XSL rendering-The created document is then rendered by applying an XSL stylesheet to it and formatting it to the specified resource type such as, HTML, PDF, XML, WML, XHTML, etc. to include a means of allowing end-users to save forms locally to another format suitable for printing, such as PDF (i.e. not xml format). One of the ordinary skills in the art would have been motivated to perform such a modification to enable end-users save forms locally in the PDF for ease of use, quick and accurate data generation and printing of a document while maintain that document's integrity without needing additional application (as taught by Bradley at page 4 paragraphs [0051]-[0057]).

WILLIAM BASHORE
PRIMARY EXAMINER
7/14/2005